



W.P.No.25150 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.09.2024

CORAM :

THE HON'BLE MR.D.KRISHNAKUMAR, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.No.25150 of 2024

P.P.Yacob

Vs

.. Petitioner

1.The District Collector/
The Chairman of TNPPF Committee
Collectorate, Udhamandalam,
The Nilgiris.

2.The District Revenue Officer,
Collectorate, Udhamandalam,
The Nilgiris.

3.The Thasildar,
Taluk Office, Pandalur Taluk,
The Nilgiris.

4.The District Forest Officer,
DFO's Office, Gudalur Division,
The Nilgiris.

5.The Assistant Director,
Village Panchayats, Udhamandalam,
The Nilgiris.

6.The Panchayat President,
Cherangode Village Panchayat,
Pandalur, The Nilgiris.

7.O.V.Mathew

.. Respondents



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Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 to 6 to take action against the illegal commercial construction being built by the seventh respondent in his property falling under the Tamil Nadu Preservation of Private Forest Act, 1949, consequentially remove the encroachment made by the seventh respondent on the petitioner's property to an extent of one feet on the eastern boundary in the light of the petitioner's representation dated 8.4.2024.

For the Petitioner : Ms.Thanga Vadhana Balakrishnan

For Respondents : Mr.K.Karthik Jagannath
Government Advocate
for respondents 1 to 3, 5 and 6

: Dr.T.Seenivasan
Spl. Government Pleader
for respondent No.4

ORDER

(Order of the Court was made
by the Hon'ble Acting Chief Justice)

Alleging that the seventh respondent had illegally put up a commercial construction in the property governed by the provisions of the Tamil Nadu Preservation of Private Forest Act, 1949, the petitioner sent representation on 8.4.2024 to respondents 1 to 6 seeking removal of the encroachment in the form of unauthorised



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construction. As the said representation did not evoke any response, the present writ petition is filed.

2. Considering the narrow scope of the prayer made in the writ petition, without expressing any opinion on the merits of the matter, the writ petition is disposed of with a direction to the first respondent to consider the representation of the petitioner dated 8.4.2024 and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order, of course after affording an opportunity to all the interested persons, including the seventh respondent. There shall be no order as to costs. Consequently, W.M.P.No.27471 of 2024 is closed.

(D.K.K., ACJ.) (P.B.B, J.)
03.09.2024

Index : Yes/No
NC : Yes/No
sasi



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To:

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The Nilgiris.
- 2.The District Revenue Officer,
Collectorate, Udhagamandalam,
The Nilgiris.
- 3.The Thasildar,
Taluk Office, Pandalur Taluk,
The Nilgiris.
- 4.The District Forest Officer,
DFO's Office, Gudalur Division,
The Nilgiris.
- 5.The Assistant Director,
Village Panchayats, Udhagamandalam,
The Nilgiris.
- 6.The Panchayat President,
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Pandalur, The Nilgiris.



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THE HON'BLE ACTING CHIEF JUSTICE
AND
P.B.BALAJI, J.

(sasi)

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